

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

Joseph Hammerschmidt, individually  
and on behalf of all others similarly  
situated,

Civil No. 20-1773 (DWF/BRT)

Plaintiff,

**ORDER**

v.

General Motors LLC,

Defendant.

Edward Jackson, individually and on  
behalf of all others similarly situated,

Civil No. 21-987 (DWF/BRT)

Plaintiff,

v.

General Motors LLC,

Defendant.

This matter came before the Court on the parties' stipulation and joint motion to consolidate the related actions of *Hammerschmidt v. General Motors LLC*, Case No. 20-cv-1773 (DWF/BRT) and *Jackson v. General Motors LLC*, Case No. 21-cv-987 (DWF/BRT), and to grant leave for Plaintiffs Hammerschmidt and Jackson to file a Consolidated Class Action Complaint, to set a briefing schedule for Defendant's anticipated motions to dismiss and strike relating thereto, and to take off calendar Defendant's pending motions to dismiss and to strike. (Doc. No. [81] and Doc. No. [31]).

**IT IS HEREBY ORDERED** that the parties' stipulation and joint motion (Doc. No. [81] and [31]) are **GRANTED** as follows:

1. The cases of: (1) *Hammerschmidt v. General Motors LLC*, Case No. 20-cv-1773 (DWF/BRT); and (2) *Jackson v. General Motors LLC*, Case No. 21-cv-987 (DWF/BRT), are consolidated for pre-trial proceedings and trial before District Judge Donovan W. Frank and Magistrate Judge Becky R. Thorson;
2. To give full effect to this consolidation of related proceedings, the Court further orders that:
  - a. The first-filed case, *Hammerschmidt v. General Motors LLC*, Case No. 20-cv-1773 (DWF/BRT), shall serve as the lead case of these consolidated matters;
  - b. All future filings for these related proceedings shall be filed in the lead case;
  - c. All future filings in the lead case shall be considered filed in the relevant related case; filings should not be separately docketed in the related cases and all previous filings in the related cases need not be re-filed in the lead case;
  - d. The Clerk of Court is directed to add all parties and attorneys of record from the related cases to the lead case. All *pro hac vice* admissions in the related cases are valid for the lead case; and
  - e. The Clerk of Court is directed to administratively close case numbers (specifically list all cases that should be closed).

3. Plaintiffs shall file a Consolidated Class Action Complaint within 21 days of the Court's order granting this Stipulation and joint motion;
4. Defendant shall file its anticipated motions to dismiss and to strike Plaintiffs' Consolidated Class Action Complaint within 42 days of the filing of Plaintiffs' Consolidated Class Action Complaint;
5. Plaintiffs' response to Defendant's anticipated motions is due within 42 days after the motions have been filed. Defendant's reply in support of those motions is due within 21 days after the filing of Plaintiffs' response;
6. Defendant's pending motions to dismiss and to strike in *Hammerschmidt*, Case No. 20-cv-1773, (Doc. No. [68], [74]), currently set for hearing on May 21, 2021, shall be terminated and removed from the Court's calendar; and
7. Defendant's motions to dismiss and strike in *Jackson*, Case No. 21-cv-987, (Doc. Nos. [21], [22]), shall be terminated and removed from the Court's calendar.

Dated: April 23, 2021

s/Donovan W. Frank  
DONOVAN W. FRANK  
United States District Judge